IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 235 OF 2005

Rukhana Associates. ... Appellants.

Versus.

Ganatra Hotels Pvt.Ltd. ... Respondents.

Shri Haresh Jaghiani i/by M/s.Haresh Janghiani & Associates for the Appellants.

Shri Vivek Kantawala i/by M/s.Kantawala & Co. for the Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 15th March, 2005.

P.C.:

1. Heard the learned Counsel appearing for the parties. After arguing the Appeal for sometime, the learned Counsel appearing for the parties agree that the Appeal from Order be disposed of by directing the Respondents not to create third party interests in respect of the suit property till the disposal of the suit and hearing of the suit be expedited. Hence I pass the following order:

(i) Till the final disposal of the suit filed by the Appellants, the Respondents will not create any third party interests in respect of the suit property subject matter of the suit.

(ii) The hearing of the suit is expedited and the learned trial Judge is directed to decide the suit as expeditiously as possible and preferably on or before 31st March 2006.

(iii) All contentions of the parties on merit are kept open.

(iv) Appeal from order is disposed of in the above terms with no order as to costs.

(v) Parties and the concerned Court to act on an authenticated copy of the order.

Judge.